

STAFF

It is important for the Probation Independent Oversight Commission to be housed and supported independent of the Probation Department. This allows for complete autonomy and transparency without undue influence.

Toward that goal it is an important for the commission to have an adequate budget and staff, office space and logistical support.

A budgetary expenditure to provide staff and support would be money well spent to prevent defending lengthy litigations, minimize potential for law suits, reduce potential civil liability and restore public confidence in the integrity of the Probation system and its services.

PROBATION OFFICE OF INSPECTOR GENERAL

The Probation Oversight Work Group interviewed Max Huntsman from the existing Inspector General's Office which provides independent monitoring of the Los Angeles County Sheriff's Department, and Cynthia Hernandez a lawyer with the Office of Independent Monitoring which is contracted by the Board of Supervisors for Probation.

After reviewing the operations of both organizations, querying both organizations it was apparent to me that:

- 1- Max Huntsman is very qualified to serve as Inspector General and has established an efficient operation with a significant amount of staff and infrastructure to perform the requisite duties.
- 2- However, In Mr. Huntsman's own words, he is not familiar with the operation of Probation except by what he has learned from the media of in house discussions.
- 3- Mr. Huntsman also indicated that he would have to increase staff to take on the added role of Probation.
- 4- Mr. Huntsman related, that there is a difference between the Probation Department and Sheriff's Department. Those differences being the mission of the agencies and that the Sheriff is elected and that the Chief Probation Officer is appointed by and answers to the Board of Supervisors.
- 5- Cynthia Hernandez explained, that the Office of Independent monitoring is contracted by the Board of Supervisors to provide independent monitoring of the Probation Department. The staff consists of three lawyers from OIM and an administrative assistance who is provided by the Probation Department.
- 6- Ms. Hernandez noted that they are currently housed at Probation Headquarters.
- 7- We further learned from Ms. Hernandez that prior to being OIM, it was the Office of Independent Review which provided service to the Los Angeles County Sheriff's Department until the Office of Inspector General was created.
- 8- Ms. Hernandez related, that the Office of Independent Monitoring has been in place several years, but had specific contract language as to their role.
- 9- The Office of Independent Monitoring has in-depth knowledge of the department, it's culture, practices and policies. This would allow them to easily expand into a broader role.

Mr. Huntsman explained that it was critical for the department to have a strong Internal Affairs/Audit/Compliance Unit as well as an external Independent Legal Team such as the Inspector General or Office of Independent Monitoring.

AUTHORITY

To provide effective, independent and accountable oversight, the Probation Independent Oversight Commission must have some mechanism for forcing compliance with requests, directives or policy changes.

This authority must be in such a manner that it can mandate such actions without micro-managing the department.

It is the role of the Chief Probation Officer and management to run the department, and the role of the Oversight Body to ensure best practices, compliance with legal and ethical mandates. The commission can ensure transparency and serve as the community bridge between the department, the community and Board of Supervisors.

MINIMUM STAFFING RECOMMENDATION

To be most effective in facility inspections, operational audits, culture change, ensuring best practices, restoring public trust, making the department accountable and transparent requires a staff to work for the Commission.

At minimum, the staff should consist of"

- One Executive Director
- One Secretary or Administrative Assistant
- Two or three personnel to conduct state mandated Title 15 custody facility Inspections, audits and other duties
- Create the Office of Probation Inspector General by:
 - Contracting with the Office of Independent Monitoring with expanded duties
 - Hiring the existing Attorney's from OIM as OPIG attorney's
 - Expanding the existing Inspector General to take on the duties of POIG and/or having the Inspector General hire the existing OIM staff) should they be interested) as they have the intimate knowledge of the department and operations.

TRANSITION

When the Office of Inspector General was created, the county maintained its contract with the Office of Independent Monitoring until the transition. This was done to maintain monitoring during the transition. I recommend the same be done for Probation Department during any transition from OIM to IG or POIG.

